

**REGULAR COUNCIL SESSION
WEDNESDAY MAY 14, 2008 7 PM
GUYSBOROUGH MUNICIPAL BUILDING**

Warden Hines called the meeting to order at 7:06 p.m.

ATTENDANCE:

08-05-23684

Warden Lloyd Hines
Deputy Warden Myles MacPherson
Councillor Sheila Pelly
Councillor Blair George
Councillor Janet Peitzsche
Councillor Vernon Pitts

OTHERS PRESENT:

Gary Cleary, Acting Chief Administrative Officer
Verna Halloran, Recording Secretary
Shawn Andrews, Co-ordinator of IT & Fire Services
Deborah Torrey, Planning Officer
Glen Avery, Director of Public Works
Bruce MacKeen, Municipal Solicitor
Dan Gillis, Executive Director GCRDA
Ashley Williams, Youth Intern GCRDA
Media - Andrew Rankin, Matt Draper, CJFX
Todd White, Seaside Communications
Irving Schwartz, Seaside Communications
Nick Price, Terrain Group Consultant

REGRETS:

Councillor Bradley MacLeod

APPROVAL OF AGENDA:

08-05-23685

MOVED: Councillor Vernon Pitts

SECONDED: Councillor Sheila Pelly

MOTION: THAT Council approve the agenda as presented with no noted additions or deletions.

MOTION CARRIED

APPROVAL OF MINUTES OF APRIL 9, 2008 COUNCIL:

08-05-23686

MOVED: Deputy Warden Myles MacPherson

SECONDED: Councillor Blair George

MOTION: THAT Council approve the Minutes of April 9th as presented with no noted errors or omissions.

MOTION CARRIED

APPROVAL OF MINUTES OF MAY 5, 08 SPEC. COUNCIL:

08-05-23687

MOVED: Councillor Vernon Pitts

SECONDED: Councillor Sheila Pelly

MOTION: THAT Council approve the Minutes of the May 5th, 08 Special Council / Public Hearing Session as presented with no noted errors or omissions.

MOTION CARRIED

Warden Hines noted that only members present at the May 5th Public Hearing meeting are eligible to vote on the recommendation resulting from that meeting and that only Deputy Warden MacPherson and Councillor MacLeod were absent from that meeting.

DELEGATIONS:

08-05-23688

SEASIDE COMMUNICATIONS:

08-05-23689

Mr. Todd White & Mr. Irving Schwartz, President & CAO of Seaside Communications were present to update Council on the status of the high speed project and reviewed a timeline summary.

Mr. White provided an overview of the project including milestones which will be coming up over the next few weeks which will require assistance from the Municipality. Mr. White noted that they are currently into the land procurement phase which includes contacting and speaking to land owners to arrange locations for structures. Mr. White noted that the permitting phase is a critical time as they require not just regular building permits but need to conform to the regulations which have been put in place by Industry Canada including the implementation of new antenna sighting policies.

Mr. White stated that Industry Canada has advised they will defer to the local land use authority if there is a public consultation process in place, however, if there is no public consultation and a complaint is received, Industry Canada can enforce removal of the tower in question. Mr. White noted that they are trying to reduce the permitting process to no more than 40 days and would like to get the towers built during the fine weather months and as such they are requesting Council to consider the site specific process they are proposing.

Councillor George asked how many towers are to be installed to which Mr. White advised they are expecting to place 25 towers. Mr. White displayed a map to show an approximate location of key sites in New Harbour, Whitehead, Manchester, Hadleyville and Lundy. Mr. White will send the mapping sites to Ms. Torrey for further Council review.

Councillor Pitts recommended bringing the Councillor for the area when meeting with residents.

MOVED: Councillor Blair George

SECONDED: Deputy Warden Myles MacPherson

MOTION: **THAT** Council of the Municipality of the District of Guysborough approve the adoption of the Municipal Antenna Site Procedure as presented and reviewed.

MOTION CARRIED

BUSINESS ARISING FROM MINUTES:

08-05-23690

2ND READING, INTENT TO REPEAL MUNICIPAL POLICIES:

08-05-23691

MOVED: Councillor Blair George

SECONDED: Deputy Warden Myles MacPherson

MOTION: **THAT** the Council of the Municipality of the District of Guysborough did give Notice of Intent to repeal the following policies at the April 9th, 2008 Regular Council Session;

AND FURTHER THAT Council does hereby approve the 2nd Reading of the Intent to Repeal Policy D-1, Eligibility of Property for Sale;

AND FURTHER THAT Council of the Municipality of the District of Guysborough does hereby approve the 2nd Reading of the Intent to Repeal Policy D-2, Sale of Property;

AND FURTHER THAT Council of the Municipality of the District of Guysborough does hereby approve the 2nd Reading of the Intent to Repeal Policy D-3, Terms of Sale - Municipal Property;

AND FURTHER THAT Council of the Municipality of the District of Guysborough does hereby approve the 2nd Reading of the Intent to Repeal Policy D-4, Procedures on Tendering;

AND FURTHER THAT Council of the Municipality of the District of Guysborough does hereby approve the 2nd Reading of the Intent to Repeal Policy D-5, Limits of Responsibility;

AND FURTHER THAT Council of the Municipality of the District of Guysborough does hereby approve the 2nd Reading of the Intent to Repeal Policy D-6, Leasing of Surplus Schools & Buildings;

AND FURTHER THAT Council of the Municipality of the District of Guysborough does hereby approve the 2nd Reading of the Intent to Repeal Policy D-7, Purchase of Capital Equipment and Services;

AND FURTHER THAT Council of the Municipality of the District of Guysborough does hereby approve the 2nd Reading of the Intent to Repeal Policy D-8, Minimum Insurance Requirements for Leased Properties.

AND FURTHER THAT Council of the Municipality of the District of Guysborough does hereby approve the 2nd Reading of the Intent to Repeal Policy D-9, Opening of Public Tenders;

AND FURTHER THAT Council of the Municipality of the District of Guysborough does hereby approve the 2nd Reading of the Intent to Repeal Policy D-10, Request to Purchase Property;

AND FURTHER THAT the Council of the Municipality of the District of Guysborough does hereby approve the 2nd Reading of the Intent to Repeal Policy D-11, Request for Proposals.

BE IT THEREFORE RESOLVED THAT the Council of the Municipality of the District of Guysborough hereby approves these so noted 2nd Readings in accordance with existing policies of the Municipality of the District of Guysborough.

MOTION CARRIED

2ND READING INTENT TO REPEAL POLICY D-1, SALE OF MUNICIPAL PROPERTIES: 08-05-23692

MOVED: Deputy Warden Myles MacPherson

SECONDED: Councillor Blair George

MOTION: **THAT** the Council of the Municipality of the District of Guysborough did give Notice of Intent to adopt Policy D-1, Sale of Municipal Property at the April 9, 2008 Regular Council Session;

BE IT THEREFORE RESOLVED THAT Council hereby approves the 2nd Reading of the Intent to Repeal Policy D-1, Sale of Municipal Properties in accordance with existing policies of the Municipality.

MOTION CARRIED

2ND READING, INTENT TO REPEAL POLICY D-2, LEASING OF SURPLUS BUILDINGS: 08-05-23693

MOVED: Councillor Blair George

SECONDED: Councillor Sheila Pelly

MOTION: **THAT** the Council of the Municipality of the District of Guysborough did give Notice of Intent to Adopt Policy D-2, Leasing of Surplus Schools and Buildings at the April 9, 2008 Regular Council Session;

BE IT THEREFORE RESOLVED THAT Council hereby approves the 2nd Reading of the Intent to Repeal Policy D-2, Leasing of Surplus Buildings in accordance with existing policies of the Municipality.

MOTION CARRIED

COMMITTEES & BOARDS:

COMMITTEE OF THE WHOLE:

RECOMMENDED MOTION - DISTRICT BASED GRANTS: 08-05-23694

MOVED: Councillor Vernon Pitts

SECONDED: Councillor Sheila Pelly

MOVED: **THAT** on the recommendation of the Committee of the Whole, the Council of the Municipality of the District of Guysborough does hereby approve District Based Grants in the amount of \$70,000 for the budget year 2008 - 2009 and further that Councillors may expend their individual district based grant allocation funds from April 1, 2008 up to June 8, 2008; three months prior to Nomination Day being September 9, 2008.

MOTION CARRIED

RECOMMENDED MOTION - STREETLIGHTS HIGHWAY 344: 08-05-23695

MOVED: Councillor Blair George

SECONDED: Deputy Warden Myles MacPherson

MOTION: **THAT** on the recommendation of the Committee of the Whole, the Council of the Municipality of the District of Guysborough does hereby approve the installation of streetlights in the communities of Pirate Harbour, Steep Creek, Melford and Sand Point in accordance with the Municipal Street lighting Policy.

MOTION CARRIED

PUBLIC HEARING - REQUEST FOR REZONING: 08-05-23696

MOVED: Councillor Janet Peitzsche

SECONDED: Councillor Sheila Pelly

MOTION: **THAT WHEREAS** the Council of the Municipality of the District of Guysborough passed a motion instructing Municipal Staff to schedule a Public Hearing in accordance with the Municipal Government Act (MGA) for the purpose of considering the rezoning of five parcels of land identified as PID 35096700, 35047208, 35204023, 35204049 and 35124312 from Residential R-1 to Industrial Resource M-3;

AND WHEREAS the land to be rezoned is located in the Municipality of Guysborough just outside of the Town of Canso boundary, identified on the attached map;

AND WHEREAS a Public Hearing was called for Monday, May 5, 2008 at 6:30 p.m. at the Hazel Hill Fire Hall, 1138 Highway 16, Hazel Hill in accordance with the MGA;

AND WHEREAS the Public was informed of the Public Hearing through advertisements in a local paper in accordance with the MGA;

AND WHEREAS there were no written or oral presentations with respect to this rezoning;

BE IT THEREFORE MOVED THAT the Council of the Municipality of the District of Guysborough approve the request to rezone five (5) parcels of land identified as PID 35096700, 35047208, 35204023, 35204049 and 35124312 from Residential R-1 to Industrial Resource M-3 to allow for the development of wind turbines on this property.

MOTION CARRIED

Warden Hines commended planning staff in working to achieve progress on these matters.

RECOMMENDATION - EMO EVALUATION DOCUMENT: 08-05-23697

MOVED: Councillor Sheila Pelly

SECONDED: Councillor Vernon Pitts

MOTION: **THAT** on the recommendation of the Emergency Measures Planning Committee, the Council of the Municipality of the District of Guysborough approve the Completed Self Assessment Tool as attached for submission and further review by Provincial Officials.

MOTION CARRIED

RECOMMENDATION - TRUCKERS ASSOCIATION:

08-05-23698

MOVED: Deputy Warden Myles MacPherson

SECONDED: Councillor Vernon Pitts

MOTION: **THAT** on the recommendation of the Committee of the Whole, the Council of the Municipality of the District of Guysborough approve acceptance of the Trucker's Association proposal to transport leachate at a rate of \$80.00 per hour plus TANS fuel surcharge, plus applicable HST and instruct staff to prepare a formal agreement and proceed with the purchase of a leachate tanker in accordance with Municipal Policy.

MOTION CARRIED

RECOMMENDATION - PURCHASE OF TOWNSUITE PROGRAM:

08-05-23699

MOVED: Councillor Blair George

SECONDED: Councillor Sheila Pelly

MOTION: **THAT** Committee of the Whole recommend the Council of the Municipality of The District of Guysborough waive policy and approve the purchase of Townsuite Municipal Mapping and Planning program from WHEY Group;

AND FURTHER THAT an amount of \$26,000.00 plus HST be included in the 2008/2009 budget to cover this purchase.

MOTION CARRIED

RECOMMENDATION - PLANNING ADVISORY COMMITTEE:

08-05-23700

MOVED: Councillor Sheila Pelly

SECONDED: Councillor Vernon Pitts

MOTION: **THAT** on the recommendation of the Committee of the Whole, the Council of the Municipality of the District of Guysborough direct staff to advertise for one Citizen Representative from each of the four planned areas in the Municipality on the Planning Advisory Committee;

AND FURTHER THAT the Municipality thank the current Citizen Representatives on the Planning Advisory Committee for their term on this Committee and that they be encouraged to reapply for membership on the new Committee.

MOTION CARRIED

RECOMMENDATION - DRILLING PROGRAM PAYMENT:

08-05-23701

MOVED: Councillor Blair George

SECONDED: Councillor Sheila Pelly

MOTION: **THAT** on the recommendation of the Committee of the Whole, the Council of the Municipality of the District of Guysborough authorize payment for the invoice of Logan Drilling in the amount of \$65,565.00.

MOTION CARRIED

RECOMMENDATION - CHIEF ADMINISTRATIVE OFFICER RECRUITMENT:

08-05-23702

MOVED: Councillor Sheila Pelly

SECONDED: Councillor Blair George

MOTION: **THAT** on the recommendation of the Committee of the Whole, the Council of the Municipality of the District of Guysborough direct the Chief Administrative Officer recruitment consultants to negotiate a compensation package as discussed during the May 6, 08 Committee closed session.

MOTION CARRIED

RECOMMENDATION - COST SHARED ROADS:

08-05-23703

MOVED: Councillor Janet Peitzsche

SECONDED: Deputy Warden Myles MacPherson

MOTION: **THAT WHEREAS** the Department of Transportation has approved the Dover Lane and Round Top Road, Sunnyville for the cost shared paving program, the Council of the Municipality of the District of Guysborough on the recommendation of the Committee of the Whole, approve funding for the cost shared paving of Round Top Round Road, Sunnyville and Dover Lane in the 2008/2009 budget.

MOTION CARRIED

HOME MANAGEMENT BOARD:

08-05-23704

Warden Hines advised that the Home Board met on May 6 and will be hiring summer students and staff as well as continuing ongoing recruitment of nursing and housekeeping staff. Strong occupancy at the home including the respite bed. There will be a maternity leave coming up but there is an ongoing effort to have staff in the home.

GUYSBOROUGH COUNTY RDA:

08-05-23705

Ms. Ashley Williams, new youth intern for the GCRDA reported on the recent activities of the GCRDA including the ongoing efforts to organize a Farmer's Market in Guysborough this summer. Ms. Williams noted the reverse trade show to be held at the Guysborough Legion on May 17th and that a job creation project position has been requested for a housing survey within the Municipality. The RDA is working with the Out of the Fog group and the St. Joseph's Hall group in Charlos Cove. It was noted that the Councillors should have received the survey relating to the Farmer's Market and that Ms. Williams will ensure all the Councillors receive the document.

MOVED: Deputy Warden Myles MacPherson

SECONDED: Councillor Sheila Pelly

MOTION: **THAT** Council approve the GCRDA report as presented.

MOTION CARRIED

EMERGENCY MANAGEMENT OFFICE COMMITTEE:

08-05-23706

No report

WASTE MANAGEMENT LIAISON COMMITTEE:

08-05-23707

Meeting rescheduled to the following Tuesday

PLANNING ADVISORY COMMITTEE:

08-05-23708

No report

HOME SUPPORT BOARD:

08-05-23709

Councillor Sheila Pelly advised that the Home Support Board had met earlier in the day and were currently dealing with some grievance and participating in union negotiations.

LIBRARY BOARD:

08-05-23710

Deputy Warden Myles MacPherson noted the Library Board met a few weeks back and that budget figures are on par and programs are running well. It was noted that there are some staffing changes ongoing but overall operations are proceeding smoothly.

ANY OTHER COMMITTEE OR BOARD: 08-05-23711

GALA: Meeting scheduled for next week.

AGBDA: Meeting scheduled for next week.

ERSWM: Councillor Pitts advised that the Eastern Region Solid Waste Management Committee met on the 24th noting that the electronics program is going along as planned with no major hurdles. Councillor Pitts noted that Committee is working to promote education programs and that the Canadian Waste Symposium was held in Halifax and was very successful. It was also noted that a job creation partnership has been applied for to hire an assistant for the Coordinator.

Councillor Pitts noted that tires are still being shipped to Quebec and there are current investigations for breaking tires down into crumb. It was noted that the tires are being burnt in Quebec in light of the controversy of the tire burning proposed by Lafarge in Truro.

MOVED: Councillor Vernon Pitts

SECONDED: Councillor Blair George

MOTION: **THAT** Council approve the ERSWM report as presented.

MOTION CARRIED

MOVED: Councillor Sheila Pelly

SECONDED: Councillor Vernon Pitts

MOTION: **THAT** Council approve the Committee reports as presented.

MOTION CARRIED

NEW BUSINESS: 08-05-23712

Deputy Warden Myles MacPherson declared Conflict of Interest on the following matter noting that he has been involved in the sale of materials with this contractor.

MEMO - PROGRESS CLAIM #9 OF CELL #2: 08-05-23713

MOVED: Councillor Blair George

SECONDED: Councillor Vernon Pitts

MOTION: **THAT** Council of the Municipality of the District of Guysborough accept progress claim #9 for cell #2 construction in the amount of \$327,403.12 payable to J & T VanZutphen Construction Inc., for payment.

MOTION CARRIED

FUTURE MEETING DATES: 08-05-23714

Wednesday May 21st, 2008 - Special Council Audit/Budget 4 p.m. - 7 p.m.

Wednesday May 21st, 2008 - Committee of the Whole 7 p.m.

ADJOURNMENT: 08-05-23715

MOVED: Councillor Vernon Pitts

MOTION: **THAT** the Regular Council Session of May 14, 2008 stand adjourned.

MOTION CARRIED (7:59 PM)

WARDEN

ACTING CAO

DATE